

REMARKS

Claims 58, 59, 77-79, 81, 83-85, 90-92, and 92 have been canceled without prejudice or disclaimer. Applicants reserve the right to file one or more continuation or divisional applications directed to the canceled subject matter. Allowed claims 47, 70, 73-75, 86-89, 93, 94, and 99 are the remaining pending claims. No new matter or new issues have been introduced by this amendment. Entry and consideration are respectfully requested.

Applicants acknowledge the indication of allowable claims 47, 70, 73-75, 86-89, 93, 94, 96, and 99.

The rejection of claim 81 under 35 USC 102(b) as anticipated by or in the alternative under 35 USC 103(b) as obvious over Carlson et al. is respectfully traversed.

Claim 81 has been canceled. Withdrawal of the instant rejection is respectfully requested.

The rejection of claims 77, 90 under 35 USC 103(a) as being unpatentable over Smith et al in view of Paganessi et al is respectfully traversed.

Claims 77 and 90 have been canceled. Withdrawal of the instant rejection is respectfully requested.

The rejection of claims 78, 79, 91, and 92 under 35 USC 103(a) as being unpatentable over Smith et al in view of Wilson et al is respectfully traversed.

Claims 78, 79, 91, and 92 have been canceled. Withdrawal of the instant rejection is respectfully requested.

The rejection of claims 83 and 96 under 35 USC 103(a) as being unpatentable over Smith et al in view of Carlson et al is respectfully traversed.

Claims 83 and 96 have been canceled. Withdrawal of the instant rejection is respectfully requested.

The rejection of claims 58, 59, 84 and 85 under 35 USC 103(a) as being unpatentable over Smith et al in view of Kline et al and Wilson et al is respectfully traversed.

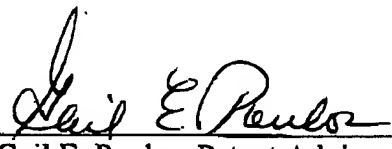
Claims 58, 59, 84, and 85 have been canceled. Withdrawal of the instant rejection is respectfully requested.

In view of the above amendments and remarks, it is believed that all of the claims are in condition for allowance. Accordingly, it is respectfully requested that the instant application be allowed to issue. If any issues remain to be resolved, the Examiner is invited to telephone the undersigned at the number below.

In the event this paper is deemed not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for such extension may be charged to Deposit Account 50-2134, along with any additional fees which may be required with respect to this paper.

Respectfully Submitted,


11/4/03
DATE


Gail E. Poulos, Patent Advisor
Registration No. 36,327
USDA-ARS-OTT
5601 Sunnyside Avenue, Rm. 4-1184
Beltsville, Maryland 20705-5131
Telephone: (301)504-5302

cc:
R. Brenner
J. Fado
U. Bernier
B. Clary

CERTIFICATE OF FILING VIA FACSIMILE

The undersigned hereby certifies that the attached Amendment was this day November 4, 2003, 2003 filed in the United States Patent and Trademark Office via facsimile to facsimile number 703-308-4556 Pages: 9


Gail E. Poulos